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FURTHER JOINT STATEMENT REGARDING ORDER RE: DISCOVERY OF  
ELECTRONICALLY STORED INFORMATION

Case Nos.: 4:20-cv-05640-YGR; 4:11-cv-06714-YGR; 4:19-cv-03074-YGR

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

EPIC GAMES, INC.,

*Plaintiff, Counter-defendant,*

v.

APPLE INC.,

*Defendant, Counterclaimant.*

Case No. 4:20-cv-05640-YGR

IN RE APPLE IPHONE ANTITRUST  
LITIGATION

Case No. 4:11-cv-06714-YGR

DONALD R. CAMERON, *et al.*,

*Plaintiffs,*

v.

APPLE INC.,

*Defendant.*

Case No. 4:19-cv-03074-YGR

**FURTHER JOINT STATEMENT  
REGARDING ORDER RE: DISCOVERY  
OF ELECTRONICALLY STORED  
INFORMATION**

Judge: Hon. Yvonne Gonzalez Rogers

1                   **Joint Statement:** Earlier this week, Plaintiffs and Defendant Apple Inc. (“Apple”)  
2 (collectively, “the Parties”) filed with the Court a joint statement appending a draft protocol to  
3 govern discovery of electronically stored information (“ESI”) in the above-captioned actions  
4 (“ESI Protocol”), but reported that they had not yet come to agreement on one section of that draft  
5 (Section 5.I, “Redactions”). *See* Consumer ECF No. 255; Developer ECF No. 133; Epic ECF No.  
6 136 (in each action, the “Joint Statement”). The Parties represented to the Court that they would  
7 continue to discuss a potential resolution to the Redactions provision, and agreed that they would  
8 either reach agreement on the provision by close of business on October 28, 2020 and resubmit an  
9 agreed ESI Protocol to the Court, or, if the Parties could not reach agreement, would submit  
10 competing ESI Protocols and a joint statement reflecting the Parties’ respective positions at that  
11 time.

12                   Following further negotiations, the Parties have now reached agreement on all  
13 sections of a proposed ESI Protocol, which is enclosed herewith. Except for the change to Section  
14 5.I and other minor edits to which the Parties have agreed, this proposed ESI Protocol is identical  
15 to the draft that the Parties submitted to the Court earlier this week. The Parties continue to meet  
16 and confer regarding production validation procedures in accordance with their agreement  
17 reflected in the Joint Statement.

1 Dated: October 28, 2020

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5 Respectfully submitted,

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9 Dated: October 28, 2020

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18 Dated: October 28, 2020

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1 Dated: October 28, 2020

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11  
12 **E-FILING ATTESTATION**

13 I, Steve W. Berman, am the ECF User whose ID and password are being used to  
14 file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the  
15 signatories identified above has concurred in this filing.

16  
17 /s/ Steve W. Berman

18 Steve W. Berman